

## **REMARKS/ARGUMENTS**

Claims 1-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nizri et al., US 2002/0197992, in view of Kuwahara, U.S. Patent No. 6,363,255. Reconsideration of the rejection is respectfully requested.

Independent claim 1 has been amended, in part, to provide for, “if none of the cells searched in the network cell search are available, repeating steps b through g, inclusive, upon a predetermined time interval elapsing after the completion of step g.” Independent claim 10 has been amended, in part, to provide for, “means for using components b through f, inclusive, to attempt network establishment at periodic time intervals after the completion of the network cell search so long as the network is not successfully established.” Antecedent basis for the amendments to independent claims 1 and 10 is provided in the specification, for example, on page 8, line 21, to page 9, line 2.

Neither Nizri et al. nor Kuwahara disclose, teach, or suggest the periodic attempt to establish the network so long as the network has not been successfully established, as claimed in independent claims 1 and 10.

On the contrary, Nizri et al. indicates that if cell selection over both air interfaces is unsuccessful, “a ‘no service’ indication is passed back to the upper protocol layer (MM),” (page 9, paragraph [0141], lines 11-12). Kuwahara deals with the change of a mobile station location from one nearest base station to another, (abstract), but does not teach, disclose, or suggest a periodic attempt to establish a network if no successful network establishment has been performed, as provided in independent claims 1 and 10.

Since each of claims 2-9 and 11-16 is directly or indirectly dependent upon one of independent claims 1 and 10, each of claims 2-9 and 11-16 is allowable over Nizri et al. in view of Kuwahara for the same reasons recited above with respect to the allowability of independent claims 1 and 10 over Nizri et al. in view of Kuwahara.

Claim 17 is allowed.

In view of the foregoing amendments and remarks, allowance of claims 1-17 is respectfully requested.

Respectfully submitted,

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